

09-21-07

DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: MACPHERSON, James
SERIAL NO.: 09/716,189
FILED: November 17, 2000
FOR: System and Methods for Processing Mutual Fund Purchase and Redemption Orders
EXAMINER: GRAHAM, Clement B Group: 3692

Attention: Office of Petitions

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

This correspondence is being deposited with the United States Postal Service on September 19, 2007 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ~~ER 059679512 45~~ addressed to the Honorable Commissioner for Patents, Alexandria, VA 22313-1450.

ER 059679512 45


Steven M. Hertzberg**PETITION TO REVIVE UNDER 37 C.F.R. §137(b)**

09/21/2007 WASFAW1 00000029 09716189

01 FC:2453

Sir:

750.00 OP

The above-identified application became unintentionally abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

Applicant hereby petitions for revival of this application.**1. Petition fee**

The Applicant claims small entity status. A check in the amount of \$750 to cover the fee under 37 C.F.R. §1.17(m) is enclosed.

2. Reply

A Request for Continued Examination (RCE), which is a proper reply to the above-noted action is enclosed and should be considered with the following items:

- (1) the Amendment previously filed February 7, 2006;

(2) the Supplemental Response previously filed March 3, 2006; and

(3) the Communication with three Replacement Sheets of the drawings previously filed June 30, 2006.

By filing the RCE, it is submitted that the Notice of Appeal filed May 4, 2006 is hereby withdrawn (See MPEP § 1204).

It is noted that the above-mentioned Amendment and Supplemental Response (items 1 and 2 above) were previously filed with the USPTO in response to the non-final Office Action mailed on November 17, 2005. The Amendment and Supplemental Response (items 1 and 2 above) erroneously stated on the first page that the mail date of the above-mentioned Office Action was February 17, 2006. A copy of each of these documents, as previously filed, with handwritten corrections of the correct mail date of the Office Action on page 1 of items 1 and 2 is enclosed herewith.

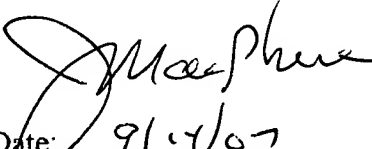
Also enclosed is a copy of the Communication (item 3), which was previously filed with the USPTO on June 30, 2006 in response to the Notice of Non-Compliant Amendment mailed on June 22, 2006. The three Replacement Sheets of drawings include FIGS. 2a and 2c as amended.

3. Terminal Disclaimer

Since this application was filed after June 8, 1995, no Terminal Disclaimer is required.

4. Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

 Respectfully submitted,
James MacPherson
Date: 9/14/07